

**PUBLIC MEETING
January 12, 2010
MINUTES**

Chairman Mike Murray called the meeting to order at 9 a.m. Commissioners Derek Brown and Andy Hunthausen were present. Others attending all or a portion of the meeting included Kelly Blake, Eric Bryson, K. Paul Stahl, Carrie Severson, Jesse Whitford, Laura Erikson, Carole Byrnes, Marcia Allen, Dwight and LaDene Barber, Tim Gill, Ray Beck, Mary Gye and Rita Cortright, Recording Secretary.

Pledge of Allegiance. Everyone recited the Pledge.

Consent Action Items. Eric Bryson reported on the consent action items and recommended approval.

- a. Agreement Between Lewis & Clark County and State of Montana, Office of Juvenile Probation, 1st Judicial District for Purpose of Starting a Youth Court Conferencing Program. (Laura Erikson)
- b. Independent Contractor Contract Between Lewis and Clark County and Timberland Specialties, Inc., to Complete and Perform Services at Specific Project Locations Throughout Lewis & Clark, Jefferson and Broadwater Counties Through the Tri-County SafeFire Working Group Wildland Fuel Mitigation Program. (Pat McKelvey)
- c. Resolution 2010-7 Ordering a Refund of Taxes/Fees/Assessments Paid by Town Pump of East Helena in the Amount of \$2,575.75. (Cheryl Green)
- d. Resolution 2010-8 Ordering a Refund of Taxes/Fees/Assessments Paid by Capitol Town Pump, Inc. in the Amount of \$23.91. (Cheryl Green)
- e. Resolution 2010-9 Ordering a Refund of Taxes/Fees/Assessments Paid by Laverne L. Roberts in the Amount of \$222.54. (Cheryl Green)
- f. Resolution 2010-10 Ordering a Refund of Taxes/Fees/Assessments Paid by Judith Anne Vincent in the Amount of \$444.21. (Cheryl Green)
- g. Resolution 2010-11 Ordering a Refund of Taxes/Fees/Assessments Paid by Myron Laib in the Amount of \$17.02. (Cheryl Green)

No public comments were received.

Commissioner Brown moved approval of the consent agenda and authorized the Chair to sign. Commissioner Hunthausen seconded the motion. The motion carried 3-0.

Public Hearing on An Amendment of Resolution 2009-78 Levying and Assessing a Tax Upon All Benefitted Property within the Autumn Wind Court Rural Improvement District No. 2008-7. (Planner: Carrie Severson)

Carrie Severson presented an overview of the history and the current status of the district. Ten properties are included in this district. The total estimated loan amount for 2009 was approximately \$44,000 which was not enough to cover all of the cost of the improvements and the engineering. That amount was \$442.65 per parcel for a period of 15 years. One year of that assessment amount has been collected. The new assessment amount of \$706.67 per parcel would be collected for an additional 14 years. The total estimated loan amount would be \$67,000.

The commission may authorize additional funding to complete the improvements by adopting the draft resolution; or amend or dissolve the district.

Without objection, the commission entered the public comments into the public record.

Public Hearing.

Dwight Barber, 5583 Autumn Wind Court. Supported this project. He cited Montana Codes Annotated Section 7-12-2112, and emphasized that a majority of 70% wanted to go forward with this resolution.

Tim Gill, 4065 Flowerree Drive. Represents an opponent to this project. Some concerns included fire department access, expansion of the project and costs.

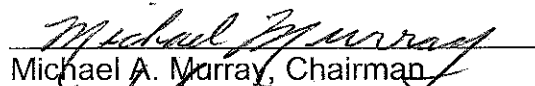
Marcia Allen, 42 Whitetail Lane, Clancy. Opposed the 57% increase from the original cost. Part of her frustration came from the fact of not been involved in the original process.

Commissioner Hunthausen moved to close public comments at 5 p.m. Friday, January 15, and render a decision on Tuesday, January 19 at 9 a.m. Commissioner Brown seconded the motion. The motion carried 3-0.

Public comments on any public matter within the jurisdiction of the Commission that is not on the agenda above. None.

There was no other business, the meeting adjourned at 9:29 a.m.

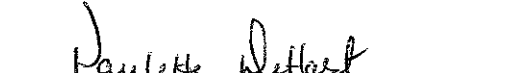
LEWIS AND CLARK COUNTY
BOARD OF COMMISSIONERS


Michael A. Murray, Chairman


Derek Brown


Andy Hunthausen

ATTEST:


Paulette DeHart, Clerk of the Board